

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

No. 23-07353-JCB

UNITED STATES OF AMERICA

v.

FERNANDO BOST

DETENTION ORDER PURSUANT TO UNITED STATES v. KING

September 18, 2023

Boal, M.J.

The defendant, Fernando Bost, is charged in a complaint with interference with commerce by threats or violence in violation of 18 U.S.C. § 1951(a) and being a felon in possession of a firearm and ammunition in violation of 18 U.S.C. § 922(g)(1). The defendant is currently in state custody. An initial appearance was held on September 18, 2023, at which time the government moved for detention. At that time, the defendant, represented by appointed counsel, waived his right to a prompt detention hearing given that he was being held in state custody. On that basis, I find there is good cause to continue the detention hearing in this case until such time as the defendant is released from state custody in accordance with the protocol set forth in United States v. King, 818 F.2d 112, 115 n.3 (1st Cir. 1987).

Accordingly, I rule that the defendant has waived his right to have a detention hearing at this time. Id. It is ORDERED that the detention hearing is continued until further order of this Court. It is FURTHER ORDERED that the defendant be DETAINED pending the detention

hearing. See 18 U.S.C. § 3142(f). To the extent not already done, the U.S. Marshal is ORDERED to return the defendant to state custody and lodge a detainer against the defendant on the basis of this Order after his return to state custody.

The parties shall inform the Deputy Clerk, Douglas Warnock, upon the defendant's return to federal custody so that a detention hearing may be scheduled.

Review of this Detention Order may be had by the defendant filing a motion for revocation or amendment of the Order pursuant to 18 U.S.C. § 3145(b).

/s/ Jennifer C. Boal
JENNIFER C. BOAL
United States Magistrate Judge